

SECOND AMENDMENT TO PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES DEPARTMENT OF ENERGY, THE MISSOURI DEPARTMENT OF
NATURAL RESOURCES DIVISION OF ENERGY AND THE MISSOURI DEPARTMENT OF
NATURAL RESOURCES STATE HISTORIC PRESERVATION OFFICE
REGARDING THE USE OF STATE INTERAGENCY AGREEMENT
FOR SECTION 106 REVIEW OF EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on June 7, 2010, The United States Department of Energy (DOE), The Missouri Department of Natural Resources Division of Energy (MoDNR-DE)(formerly MDNR/EC (Energy Center)), and the Missouri Department of Natural Resources State Historic Preservation Office (SHPO) entered into a Programmatic Agreement (PA) to fulfill the requirements of Section 106 of the National Historic Preservation Act for certain DOE-funded Undertakings in Missouri.

WHEREAS, on July 13, 2011, the Agreement was amended.

WHEREAS, in 2010, as the result of unprecedented funding levels resulting from the implementation of the American Recovery and Reinvestment Act (Recovery Act), DOE, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) developed a first-of-its-kind [Prototype Programmatic Agreement](#) (Prototype PA) for National Historic Preservation Act Section 106 reviews;

WHEREAS, the intent of the Prototype PA was to provide DOE, recipients of financial assistance under DOE's, Energy Efficiency Conservation Block Grant (EECBG) program, State Energy Program (SEP), and Weatherization Assistance Program (WAP) as applicable, and State Historic Preservation Offices (SHPOs) with a tailored method for complying with Section 106 of the National Historic Preservation Act. DOE, recipients, and SHPOs negotiated and executed subsequent programmatic agreements (subsequent PAs; i.e. this Agreement) in accordance with the State Interagency Agreement in the Prototype PA;

WHEREAS, the Prototype PA originally provided that each subsequent Agreement would be valid for three years from the date of execution. As the result of ACHP's Program Comment dated March 11, 2013, however, all subsequent PAs, including this Agreement, were extended through December 31, 2020. (78 FR 16275, 16277);

WHEREAS, ACHP, NCSHPO, and DOE recognize the Prototype PA and subsequent PAs continue to provide great value to DOE, recipients, and SHPOs, notwithstanding expiration of most Recovery Act funding, this amendment extends the use of the Agreement for an additional 10 years; and

WHEREAS, DOE will send a copy of this executed amendment to the ACHP;

NOW, THEREFORE, in accordance with Appendix A, Stipulation L, the signatories of this Amendment agree to amend the document as follows:

1. Amend Stipulation 2 of the Programmatic Agreement so it reads as follows:

This PA will be valid until December 31, 2030, as verified with DOE filing the PA with the ACHP.

2. Amend Appendix A Stipulation B.5 of the PA to include:

Within one year of the signing of this amendment MoDNR-DE will work with SHPO to develop updated training which will include a schedule for training and a tracking system for requiring

subgrantees to attend training.

3. Amend Appendix A Stipulation G of the PA to include:

MoDNR-DE will schedule two meetings (April and October) with SHPO to discuss implementation of the PA, and training needs.

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

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Craig Redmon

11/23/2020

Craig Redmon

Date

Director

Missouri Department of Natural Resources - Division of Energy

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Toni M. Prawl

11/23/20

Toni M. Prawl, PhD

Date

Director, Missouri Department of Natural Resources State Historic Preservation Office
Deputy State Historic Preservation Officer

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Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

Date